

Examiner-Initiated Interview Summary	Application No.	Applicant(s)	
	10/595,596	RODGERS ET AL.	
	Examiner	Art Unit	
	Darren W. Ark	3643	

All Participants:

(1) Darren W. Ark.

(2) Andrew N. Parfomak.

Date of Interview: 18 December 2008

Type of Interview:

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description: _____

Part I.

Rejection(s) discussed:

Rejections of the Non-Final Action mailed on 04/22/2008

Claims discussed:

1, 4, 6-19, and 34-36

Prior art documents discussed:

Prior art of record

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

Status of Application: Response to Non-Final

(3) _____

(4) _____

Time: 5:30pm EST

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Examiner stated that in regard to claim 1, that Curtis 1,659,767 discloses an enclosure (see Figs. 1-5) comprising a base (1, 2) having an upwardly extending spindle (8), a top (4) rotatable about the spindle (via 7), and apertures located on the top (5) and the base (3), the enclosure in an open position upon alignment of the apertures (see Figs. 1, 2); a trigger mechanism comprising a lever arrangement (20a, 21, 22, 23) and a biasing means (9) operably connected to the top (via interconnection of parts), the top comprising a strike plate (one of solid areas of 4 between openings 5) connected thereto and extending downwardly therefrom and substantially at right angles to the top (solid areas of 4 between 5 extend at right angles relative to horizontal top surface of 4), the base comprising a catch plate (one of solid portions of 2 between 3) connected to the base and extending upwardly therefrom (upwardly from 1) and substantially at right angles to the base (solid portions of 2 between 3 extend at right angles relative to 1); the strike plate and catch plate capable of incapacitating and striking a mouse therebetween (a mouse is capable of being caught between the moving solid portions of 2 & 4). Examiner and applicant agreed on amending claim 1 further to define the top as having a strike plate extending downwardly therefrom within an interior of the enclosure and the base as having a catch plate extending upwardly therefrom within an interior of the enclosure since Curtis discloses the strike and catch plates as forming the outer periphery or boundary of the enclosure and thus do not extend within the enclosure defined by base (1), cylindrical casing (2), and cylinder (4) of Curtis. Examiner also propose to amend claim 1 to overcome claim objections and 35 U.S.C. 112, 2nd paragraph rejections. Examiner also stated that claim 4 was amended in order to eliminate limitations that were previously recited in claim 1 and to more properly set forth that the stop means and strike plate are the same structure. Applicant agreed with the proposed amendments. Please see the Examiner's Amendment for details.